

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 SEP -9 PM 4: 29

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CR. NO. 05-20056-Ma
)	
vs.)	
)	
WILLIE ANDRA WOODS, et al.,)	
)	
Defendants,)	

ORDER WAIVING TEN-DAY NOTICE

Upon consideration of the Government's motion for waiver of ten-day notice, and good cause having been shown,

The Court finds that the wire communications intercepted pursuant to the Court-authorized electronic surveillance are highly material to the issues which must be decided at the bond and detention hearings that may be held with respect to this matter.

The Court further finds that the interests of justice are best served by disclosure of the wire communications to the Court, at any such hearings, which will either detain the defendant or set conditions of release pursuant to Title 18, United States Code, Section 3141, et seq.

The Court further finds that it is not possible to give ten days notice of the Government's intent to disclose the wire communications and copies of the affidavit and orders prior to any defendants' detention and/or bond hearings.

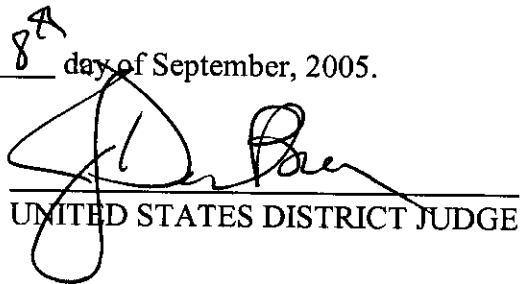
The Court finds that the defendants will not be prejudiced by waiver of the ten-day notice provisions of Title 18, United States Code, Section 2518(9). They will have an opportunity to move to suppress the tape recorded conversations prior to their use at trial. Further, they may at

any time move for reopening of any bond and/or detention hearing after they have had an opportunity to inspect the applications and orders authorizing the electronic surveillance.

Accordingly, it is

ORDERED that the ten-day notice provision is waived and the Government may disclose the content of the wire communications intercepted pursuant to the Order of this Court, as enumerated in the Government's motion, at the anticipated bail and/or detention hearing.

DONE at Memphis, Tennessee, this 8th day of September, 2005.


UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 271 in case 2:05-CR-20056 was distributed by fax, mail, or direct printing on September 16, 2005 to the parties listed.

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Honorable Samuel Mays
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